IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 31478 of 2007(V)

PETITIONERS:

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1. T.G.SANTHOSH BABU, `APSARA BHAVAN',
   ITHITHANAM, CHANGANASSERY-686 565.

2. G.GIREESH, `AISWARYA', SAKTHIKULANGARA,
   KOLLAM-3.

BY ADV. SRI.DINESH R.SHENOY
SRI.V.V.UNNIKRISHNAN

RESPONDENTS:

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1. GURUVAYOOR DEVASWOM, REP. BY THE
   ADMINISTRATOR, O/O. GURUVAYOOR DEVASWOM,
   GURUVAYOOR.

2. THE MANAGER, GURUVAYOOR TEMPLE,
   GURUVAYOOR.

3. THE ASSISTANT MANAGER,
   (OFFICE, ACCOUNTS), GURUVAYOOR TEMPLE,
   GURUVAYOOR.

BY ADV.SRI.U.K.RAMAKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI, J.

W.P.(C).NO.31478 OF 2007-V

Dated this the 7th day of December, 2007.

JUDGMENT

The petitioners were earlier employed as L.D. Clerks on N.M.R basis under the 1st respondent Guruvayoor Devaswom. According to them, their services were dispensed with for extraneous reasons. The Devaswom Board now propose to make appointments on temporary basis. The petitioners have, therefore, approached this court for a direction to the 1st respondent to consider the case of the petitioners on the basis of their previous experience and services in the Guruvayoor Devaswom.

On 23.10.2007, the following order was passed by this Court.

> "Mr. U.K.Ramakrishnan, standing counsel for the Guruvayur Devaswom Board submits that fresh selection even for appointment of L.D. Clerks on NMR basis will be undertaking only after due notification and that if at all the existing persons are permitted to continue, that will be only on daily wages. Statement to be filed.
>
> Post after two weeks."

Subsequently, the 1st respondent has filed a statement

stating that the petitioners have no right as such to be considered for appointment on NMR basis as L.D.Clerks. It is submitted that the persons appointed on the basis of Ext.P1 notification completed their term of engagement after 179 days. In such a situation, the Guruvayoor Devaswom published a fresh notification dated 6.11.2007 inviting applications for the post of NMR L.D.Clerks on temporary basis. The qualifications required are University Degree and Knowledge in Computer Application. It is also stated that if the petitioners have the qualifications prescribed in Annuexure-A, they could have applied for the post of N.M.R. L.D.Clerks on temporary basis. Applications were received pursuant to Anneuxure-A and an interview was conducted on 23.11.2007. Preparation of rank list is in progress. The petitioners have no vested right to be considered separately for appointment to the post of NMR L.D. Clerks in the Devaswom Board. Any way, there are no proceedings at present to effect appointment on regular basis.

During the pendency of the writ petition, Anneuxre-A notification was issued inviting applications for the post of NMR L.D. Clerks on temporary basis. According to the respondents, the

petitioners could have applied for the post of NMR L.D. Clerks. It may be true. But, I constrained to take note of the fact that the petitioners have been prosecuting this writ petition from 22.10.2007. They might have been expecting some directions in the present writ petition. In the interests of justice, I am of the view that the petitioners may also be considered by the 1st respondent for appointment in pursuance of Anneuxre-A.

In the result, the writ petition is disposed of in the following directions:

1. The petitioners may apply in the manner prescribed in Annexure -A notification within a period of ten days from today.

2. If such applications are received within the aforementioned time frame, the 1st respondent shall treat the same as filed within time and consider the case of the petitioners also. I make it clear that I have not expressed any opinion on the merits of the case.

V. GIRI, JUDGE.

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